

WORRIED ABOUT LANDLORD RETALIATION AGAINST IMMIGRANTS?

If you or your patients are nervous about the inspection process, you are not alone: many tenants worry that exercising their rights will make their landlord angry, and worse, that an angry landlord might tip off immigration authorities about undocumented tenants. While there is no way to assure either a peaceful landlord/tenant relationship in times of conflict, or that any given individual will treat his or her fellow human beings with due respect, this fact sheet provides information that should be weighed in making an informed decision to exercise sanitary code rights. Undocumented people face serious immigration risk but have the right to choose whether that risk outweighs the serious health threats posed by current serious housing crises. Bear in mind the following considerations:

- ALL landlords, regardless of their tenants' immigration status, are responsible to maintain their rental property up to the minimum standards of the state sanitary code.
- Inspectional Services Department (ISD) is a Boston city government agency, not a federal government agency, and has no immigration law enforcement authority. ISD policies and procedures prohibit inspectors from reporting to immigration authorities.

NOTE: It is not in the best interest of the landlord to report undocumented tenants, because the landlord has what the law calls “unclean hands” in this context: by reporting to immigration authorities, a landlord is effectively admitting that s/he has been accepting rent from undocumented tenants, which exposes the landlord to liability. In short, landlords may threaten to report, but in our experience do not report because of the personal risk it would trigger.

It is also worthwhile to consider the following statistics:



- *Number of times in the history of Breathe Easy (2006 to the present) that cited landlords have reported tenants to immigration authorities = 0*
- *Rate of landlord retaliation threats reported to Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA) = Rare*
- *Number of times MIRA has heard of landlords following through on such threats, or ICE following through on landlord tips: = 0*

For immigrant rights information contact:
Massachusetts Immigrant & Refugee Advocacy Coalition
105 Chauncy St., Suite 901
Boston, MA 02111
P: (617) 350-5480 x216
F: (617) 350-5499

**EQUIPPED WITH THIS INFORMATION PATIENTS MAY STILL DECIDE NOT TO PARTICIPATE IN BEAH. AN ALTERNATIVE IS TO REFER THESE PATIENTS TO THE HOME SAFE PROGRAM. HOME SAFE IS NOT AN ENFORCEMENT PROGRAM. PATIENTS WILL GET HEALTHY HOUSING TIPS. VISITS ARE FREE AND SOLELY EDUCATIONAL!
CALL: (617) 534-5966**